

UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

OTIS FOOKS, JR.
Plaintiff

vs.

HERITAGE PAYMENT RECOVERY,
Defendant

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: CIVIL NO. 1:14-CV-00881
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O R D E R

AND NOW, this 16th day of July, 2015, upon consideration of Defendant Heritage Payment Recovery's Motion for Summary Judgment (Doc. 19), and pursuant to the accompanying memorandum, it is ORDERED that:

1. Defendant's motion is GRANTED on Count I.
2. Defendant's motion is GRANTED in part and DENIED in part on Count II and Count III.
 - a. Limited to the theory that Defendant attempted to collect costs and fees that Plaintiff did not owe, Defendant's motion is DENIED on Plaintiff's §§ 1692e(2)(A), 1692f, and 1692f(1) claims.
 - b. In all other respects, Defendant's motion is GRANTED on Count II and Count III.
3. Defendant's motion is DENIED with respect Count IV.
4. This case is placed on the November 2015 trial list, scheduling order to follow.

/s/William W. Caldwell
William W. Caldwell
United States District Judge